# Tanana Chiefs Conference, Inc.

~~Doyon Building~~
~~1st and Hall Streets~~
~~Fairbanks, Alaska 99701~~
Phone (907) 452-8251

Doyon Building
201 1st Avenue
Fairbanks, Alaska 99701

RECEIVED
1980 OCT 31 PM 11:16
FAIRBANKS AGENCY OFFICE
FAIRBANKS, ALASKA

October 29, 1980

Mr. James Savok
Superintendent
Fairbanks Agency
Bureau of Indian Affairs
101 12th Avenue, Box 16
Fairbanks, Alaska 99701

Dear Mr. Savok:

Enclosed you will find a copy of the proposed Anvik I.R.A. constitution along with the two resolutions calling on the secretary to conduct an election to ratify the constitution, and appointing an election board. Also enclosed is the village roll.

The proposed constitution is very similar to other constitutions submitted by villages in this region, except that you will note that this constitution guarantees the rights of initiative and referendum. (Article Seven.)

Your prompt response on this request is appreciated.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.

Michael Walleri (gs)

Michael Walleri
Village Government Specialist

MW/6017k
enc.

ANVIK NATIVE VILLAGE COUNCIL

RESOLUTION NO. 80-1

WHEREAS, we, the council of Anvik Village, constitute the duly elected traditional tribal governing body for the Native Village of Anvik; and

WHEREAS, it is the desire of the Anvik Native people to improve and strengthen their village government and pursue economic independence;

BE IT RESOLVED, that the Anvik Native Council hereby requests the Secretary of the Interior to call for an election for adoption of a Constitution as authorized under Section 16 of the Indian Reorganization Act of June 18, 1934, as amended for Alaska, May 1, 1936, and regulations promulgated thereunder.

Adopted this 7th day of October, 1980.

CERTIFICATION

I, Ken Chase, Chief of Anvik Native Village, Alaska, do hereby certify that the above resolution was duly considered and passed by the Anvik Native Council on the 7th day of October, 1980. At such time, 3 council members were present, said number constituting a quorum of the council. Of those present, 3 council members voted for passage of the resolution, said number constituting a majority.

Attest: Julie Walker
Secretary/Treasurer

Ken W. Chase
Ken Chase, Chief

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ANVIK VILLAGE COUNCIL

RESOLUTION # 80-1

WHEREAS, Resolution #80-1, requests the Secretary of the Interior to call for an election for adoption of a Constitution, under the Indian Reorganization Act of 1934,

BE IT RESOLVED that the Anvik Village Council through this Council, its duly elected and authorized governing body, hereby appoint

Larsen Maillelle and

Julie (Jurar) Walker as

its representatives to sit on the election board to be formed to oversee the election sought in the above named Resolution.

Adopted this 7th day of October, 1980.

CERTIFICATION

I, Ken Chase, Chief of Anvik Native Village, Alaska, do hereby certify that the above resolution was duly considered and passed by the Anvik Native Council on the 7th day of October, 1980. At such time, 3 council members were present, said number constituting a quorum of the council. Of those present, 3 council members voted for passage of the resolution, said number constituting a majority.

Attest: Julie Walker
Secretary/Treasurer

Ken W. Chase
Ken Chase, Chief

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# CONSTITUTION

# OF

# ANVIK NATIVE VILLAGE

## PREAMBLE

BE IT KNOWN, that we, a group of Native Americans, all being eighteen (18) years of age or older, residents of the State of Alaska, and citizens of the United States, constitute the Native community of Anvik, Alaska. By this declaration we assert our freedom as a sovereign people in a dependent association with the United States of America. As such, we ordain and institute this constitution to promote our community's social, economic and political progress by authority of the Indian Reorganization Act, an Act of the United States Congress of May 1, 1936 (49 Stat. 1250, as amended, 25 U.S.C. 461, et. seq., hereinafter called "the I.R.A.").

## ARTICLE ONE

## NAME

The name of this organization shall be the "Anvik Native Village".

## ARTICLE TWO

## DURATION

The period of duration of this organization shall be perpetual.

## ARTICLE THREE

## DEFINITION OF TERRITORY

The exterior boundaries of Anvik Native Village shall coincide with any lands selected under the Alaska Native Claims Settlement Act (P.L. 92-203) by Ingalik, Inc. or other lands to be acquired by such corporation, and all lands owned or later acquired by the Anvik Native Village.

ARTICLE FOUR

MEMBERSHIP & VOTING RIGHTS

Section 1. Basic Membership Roll. The basic membership roll of this organization shall consist of all persons whose names appear on a list of individuals submitted to the Secretary of the Interior by the traditional village council in connection with its call for an election pursuant to the I.R.A. Any person whose name does not appear on this list may make application for enrollment to the governing body of the Anvik Native Village. Application for enrollment of minors shall be made by the parent or legal guardian.

Section 2. Qualifications for Membership. Any person enrolled on the basic membership roll shall be a member of this organization provided he or she meets all of the following qualifications:

(a) be of at least one quarter (¼) Native American descent; and

(b) established a permanent domicile for a period of at least one (1) year or more in the community of Anvik Native Village.

Section 3. Voting Rights. Each member over 18 years of age and maintaining a domicile in Anvik Native Village for one year prior to any such vote shall be entitled to one (1) vote on each matter submitted to a vote of the members.

ARTICLE FIVE

GOVERNING BODY

Section 1. Name. The governing body of this organization shall be called the Anvik Native Village Council (hereinafter referred to as "council").

Section 2. Composition. The governing body of this organization shall consist of seven (7) members of the organization who shall be elected by majority vote at a meeting of the voting membership, where quorum has been established. The qualifications, tenure in office, the time and

place of meetings, and the methods of electing the governing body shall be as set out in the ordinance of government recommended by the council and adopted by the voting membership of this organization.

Section 3. Officers. The officers of this governing body shall be a First Chief, Second Chief, Secretary/Treasurer and four (4) Council Members who shall perform such duties as are set out in the ordinance of government adopted under this Article.

## ARTICLE SIX

## POWERS AND PURPOSES

Section 1. Purposes. The purposes for which this organization is established as follows:

(a) to promote the physical, economic and social well-being of the Alaskan Native people of Anvik;

(b) to preserve and promote pride in the cultural heritage, traditions, customs, folklore and art of the Alaskan Native people of Anvik;

(c) to promote the establishment and operation of governmental and tribal organizations within the community of Anvik which effectively represent the best interests of the Alaskan Native people of the community of Anvik; and

(d) to promote the establishment and operation of regional, state and national organizations which effectively represent the interests of the Alaskan Native people of Anvik.

Section 2. Powers. This organization shall have all of the powers of an organized Indian tribe, those additional powers provided in the I.R.A., and as may be provided in the future by Act of Congress, by the Secretary of the Interior or by any other duly authorized officers of the government of the United States, including the power to:

(a) define the conditions of tribal membership;

(b) regulate domestic relations between members and others submitting to the jurisdiction of this village government;

(c) prescribe rules of inheritance;

(d) regulate property within the jurisdiction of the villages, including sale of member's shares in village corporations and property held in trust by the United States for members on account of their status as Indians;

(e) control the conduct of members by municipal legislation;

(f) administer justice through municipal courts;

(g) negotiate with and receive and allocate funds from any federal, state, local or private organization for the common good of its members;

(h) employ legal counsel as provided in Section 16 of the I.R.A.

(i) exercise all powers which it has had in the past as the governing body of an Indian tribe which are not unlawful;

(j) to tax, levy dues, fees and assessments for community purposes and provide for their collection and enforcement through its ordinances, for the good of the community;

(k) acquire, hold, sell, lease, convey in trust to the United States or otherwise dispose of any real or personal property for the common benefit of the community;

(l) provide for municipal and public activities on land within the boundaries of Anvik Native Village;

(m) prescribe general ordinances for civil government, law and order within the Indian country of Anvik Native Village;

(n) prevent the sale, disposition, lease or encumbrance of tribal lands, or other tribal assets, without the consent of the tribe;

(o) advise the Secretary of the Interior of its estimate of budget needs so that the Secretary may be cognizant of the estimate before he submits his budget to Congress, and

(p) right to exclude non-members from the Indian country of Anvik Native Village.

Section 3. Role of Other Governments. The exercise of powers under this Constitution shall reflect the self-determination of the people of Anvik Native Village. Village discretion in the exercise of such powers shall not be encumbered by discretionary acts of any agency of the United States or the State of Alaska, except where specific Federal statute expressly invests such agency with supervisory authority over village matters. Where such statutes exist, they shall be narrowly construed to allow the village to retain the maximum degree of autonomy and discretion allowable.

## ARTICLE SEVEN

## INITIATIVE & REFERENDUM

The right of initiative and referendum shall be guaranteed to the voting members of Anvik Native Village. Procedures for initiating and submitting initiative and referendum measures shall be prescribed in the Ordinance of government adopted pursuant to Article Five, herein.

## ARTICLE EIGHT

## AMENDMENTS

Amendments to this constitution may be proposed by a majority vote of the executive board, and shall become effective when approved by the Secretary of the Interior and ratified by the qualified voters of the community in the same manner as with this constitution.

## ARTICLE NINE

## ADOPTION

This constitution shall be in effect when it is ratified by a majority of the qualified voters of the community voting at an election called for that purpose by the Secretary of the Interior or his designated representative; provided, at least thirty (30) percent of those entitled to vote shall vote.